

Exhibit 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IRA BROUS and **MICHELLE
SCHUSTER**, on behalf of themselves and all
others similarly situated,

Rev. June, 2013

**THIRD REVISED CIVIL CASE
DISCOVERY PLAN
AND SCHEDULING ORDER**

- against - Plaintiff(s),

ELIGO ENERGY, LLC and **ELIGO
ENERGY NY, LLC**,

Defendant(s). 24 CV 1260 (ER)

-----X
This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with
counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] **(do not consent)** to conducting all further proceedings before
a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
The parties are free to withhold consent without adverse substantive consequences.
(If all parties consent, the remaining paragraphs of this form need not be
completed.)
2. This case **(is)** [is not] to be tried to a jury.
3. Joinder of additional parties must be accomplished by
8/13/24.
4. Amended pleadings may be filed until 11/13/24.
5. Interrogatories shall be served no later than 1/14/24, and responses
thereto shall be served within thirty (30) days thereafter. The provisions of Local
Civil Rule 33.3 **(shall)** [shall not] apply to this case.
6. First request for production of documents, if any, shall be served no later than
6/28/24.
7. Non-expert depositions shall be completed by 6/20/25.
 - a. Unless counsel agree otherwise or the Court so orders, depositions shall not
be held until all parties have responded to any first requests for production
of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders,

non-party depositions shall follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than 11/7/25.
9. Requests to Admit, if any, shall be served no later than 1/14/25.
10. Expert reports shall be served no later than 9/12/25.
11. Rebuttal expert reports shall be served no later than 10/31/25.
12. Expert depositions shall be completed by 12/5/25.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY** 12/5/25.
15. Any motions shall be filed in accordance with the Court's Individual Practices.¹
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. Gary Stein.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for _____, at _____. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York

Edgardo Ramos, U.S. District Judge

¹ Plaintiffs shall serve the moving papers for a motion for class certification by November 28, 2025. Answering papers shall be served by January 9, 2026, and reply papers by January 30, 2026.